

4.7 Hazardous Materials/Risk of Upset

4.7.1 Existing Setting

A hazardous material is any substance that, because of its quantity, concentration, or physical or chemical properties, may pose a hazard to human health and the environment. Under Title 22 of the California Code of Regulations (CCR), the term “hazardous substance” refers to both hazardous materials and hazardous wastes. Both of these are classified according to four properties: (1) toxicity, (2) ignitability, (3) corrosiveness, and (4) reactivity (22 CCR 11, and Article 3). A hazardous material is defined in CCR Title 22 as follows: A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed (22 CCR 66260.10). Hazardous materials in various forms can cause death, serious injury, long-lasting health effects, and damage to buildings, homes, and other property. Hazards to human health and the environment can occur during production, storage, transportation, use, or disposal of hazardous materials. The Project site is not known to contain any leaking underground storage sites (LUST) or hazardous waste clean-up sites (County of Santa Barbara 2014).

4.7.2 Regulatory Setting

The federal hazardous materials policies that apply to the proposed Project include:

- *Toxic Substances Control Act (TSCA)/Resource Conservation and Recovery Act (RCRA)/Hazardous and Solid Waste Act (HSWA)*, established an Environmental Protection Agency (EPA)-administered program to regulate the generation, transport, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the HSWA, which affirmed and extended the “cradle to grave” system of regulating hazardous wastes.
- Clean Water Act/Spill Prevention, Control, and Countermeasure Rule (33 U.S. Government Code [USC] 1251 et seq., formerly the Federal Water Pollution Control Act of 1972) enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of waters of the United States. 40 Code of Federal Regulations (CFR) 112, which is often referred to as the “SPCC Rule” requires facilities to prepare, amend, and implement spill prevention, control, and countermeasure (SPCC) plans. 40 CFR 1(D) (Water Programs) and 40 CFR 1(I) (Solid Wastes). Furthermore, 40 CFR 1(D)(116) sets forth a determination of the reportable quantity for each substance that has been designated as hazardous, and 40 CFR 1(D)(117) applies to quantities of designated substances equal to or greater than the reportable quantities that may be discharged into waters of the United States.
- The *Occupational Safety and Health Administration (OSHA)* ensures the safety and health of American workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. The OSHA staff establishes and enforces protective standards and reaches out to employers and employees through technical assistance and consultation programs.

The State of California's hazardous materials policies that apply to the proposed Project include:

- The *California Environmental Protection Agency (Cal-EPA)* is an umbrella agency for the protection of human health and the environment to ensure a coordinated deployment of state resources. Their mission is to restore, protect, and enhance the environment and ensure public health, environmental quality, and economic vitality.
- The *Department of Toxic Substance Control (DTSC)* regulates hazardous waste primarily under the authority of the federal RCRA and the California Health and Safety Code (HSC) (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5).
- The *California Porter-Cologne Water Quality Control Act* grants the SWRCB and RWQCBs the authority and responsibility to adopt plans and policies, to regulate discharges to surface and groundwater, to regulate waste disposal sites, and to require cleanup of discharges of hazardous materials and other pollutants.
- The *California Occupational Safety and Health Administration (Cal/OSHA)* is the primary agency with responsibility for worker safety with respect to the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than federal regulations.

The County of Santa Barbara hazardous materials policies that apply to the proposed Project include:

- *County of Santa Barbara Comprehensive Plan Hazardous Waste Element* addresses public safety, hazardous materials, and fire hazards, and includes the following goals and policies with regards to storage of Hazardous Waste relevant to the proposed Project:
 - Goal 1: To protect the public health and safety and the environment from risks posed by improper storage of hazardous materials and hazardous waste.
 - Policy 1: The County and cities shall encourage the proper storage of hazardous materials and hazardous waste through continued inspection efforts and public education regarding proper storage methods and regulations.
- *Safety Element Supplement*, focuses on the role of land-use planning in reducing the risk of public exposure to acutely hazardous materials. The objectives and policies contained in these chapters address the following two goals:
 - Goal 1: To provide sufficient guidance to affect well-informed, consistent and equitable land use decisions
 - Goal 2: To prevent and minimize unnecessary risk to the public, recognizing it is impossible to obtain a zero-risk society.
 - *Policy Hazardous Facility Safety 1-A: Risk Estimates*. The County shall employ accurate estimates of risk associated with hazardous facilities to inform discretionary land-use decisions where substantial, preliminary evidence indicates involuntary public exposure to significant risk may result from the land-use decision.
- *County of Santa Barbara Public Health Department, Hazardous Materials Unit*, is certified by the California Environmental Protection Agency as the Certified Unified Program Agency (CUPA) for the County of Santa Barbara. The CUPA regulates businesses that handle hazardous materials, generate or treat hazardous waste or operate aboveground or underground storage tanks.

- *County of Santa Barbara Multi-Jurisdictional Hazard Mitigation Plan (MJHMP)* focuses on the assessment of identified risks and implementation of loss reduction measures to ensure critical County services and facilities survive a disaster. Topics covered in the plan include flood, wildfire, earthquake, coastal storm, surge/tsunami, landslide/coastal erosion and dam failure in the unincorporated areas of the County.

4.7.3 Impact Analysis

This section reviews the analysis from the Scoping Document and MND. The construction and operation of the proposed Project would not have impacts to hazardous material/risk of upset, emergency access, or water supply as summarized in Table 4.7-1 below.

Table 4.7-1. Summary of Hazardous Materials/Risk of Upset Impacts

Hazardous Materials/ Risk of Upset Impacts	Mitigation Measures	Residual Significance
Impact HAZ-1. Construction of the proposed Project could result in potential impacts from the use, storage, or distribution of hazardous or toxic materials.	No mitigation required	Less than significant (Class III)
Impact HAZ-2. Operation of the proposed Project could result in potential impacts from the use, storage, or distribution of hazardous or toxic materials.	No mitigation required	Less than significant (Class III)
Impact HAZ-3. The proposed Project would not result in a risk of an explosion or the release of hazardous substances (e.g., oil, gas, biocides, bacteria, pesticides, chemicals or radiation) in the event of an accident or upset conditions.	No mitigation required	Less than significant (Class III)
Impact HAZ-4. The proposed Project would not interfere with an emergency response plan or an emergency evacuation plan.	No mitigation required	Less than significant (Class III)
Impact HAZ-5. The proposed Project would not contaminate a public water supply.	No mitigation required	Less than significant (Class III)

4.7.3.1 Thresholds of Significance

Appendix G of the State CEQA Guidelines states that a project is considered to have a significant impact on hazards and hazardous materials if it would result in an impact on any of the listed criteria.

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e. For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The County's Environmental Thresholds and Guidance Manual (County of Santa Barbara 2015) includes thresholds for electromagnetic fields and public safety, as summarized and presented below, that are relevant in determining Project impacts related to hazards.

Impacts from risks stemming from the following facilities and activities would be significant if (a) they are subject to a discretionary land-use action (or would communicate its concerns for public safety to another jurisdiction that is making a discretionary decision such as routes for shipping hazardous materials), and (b) initial analysis reveals substantial evidence to support a fair argument that the potential of a significant impact to public safety could result from approval of the Project subject to such action.

1. Handling, storage, and transport of compressed natural gas or methanol related to facilities for refueling motor vehicles with these materials.
2. All handling, storage, and transport of chlorine in containers with a capacity of one ton or more, or an equivalent amount of chlorine in bottles or cylinders connected through a common header.
3. Storage of natural gas liquids, including liquefied petroleum gas, unless such storage is limited to a single container with a maximum capacity of 10,000 gallons or less and does not require refilling more than once weekly.
4. Facilities of a type not addressed in 1-3 above, and not exclusively dedicated to retail distribution of consumer products (e.g., gasoline stations, or hardware, paint, and dry-cleaning stores) that:
 - a. use a classified Class A or B explosive (per Title 49, CFR, 171-179); or
 - b. use substances classified as high-level radioactive materials; or
 - c. use specified quantities of regulated substances (pursuant to Title 19 of the California Code of Regulations, Division 2, Chapter 4.5) and meet all of the following criteria.
 - a. The regulated substance(s) is stored as a compressed gas or liquefied compressed gas, or is expected to vaporize or evaporate quickly upon release (e.g., through failure of container, piping, or valve), or is stored as a liquid at a temperature that exceeds its boiling point.
 - b. The regulated substance(s) has the potential to cause a significant risk to public safety according to the County's environmental thresholds. (For example, the regulated substance(s) exists as a

gas or vapor upon accident release, and will either release into the open atmosphere or become dangerously explosive in a confined environment.)

- c. The regulated substance(s) is associated with a specific activity that is generally considered to be incompatible with surrounding land uses.
5. All development proposed in proximity to one or more existing hazardous facilities as described above, unless (a) the hazardous facility (or facilities) are inoperative for the purpose of abandonment, or (b) the proposed development is a single family residential unit which the County considers to be a voluntary exposure to the hazardous facility, or (c) the proposed development does not require a discretionary land-use action.

In cases 1 through 5 listed above, these thresholds apply to risks imposed on present and reasonably projected future land use, considering principally permitted uses under current zoning along with any conditional uses that are permitted or under review.

These thresholds do not apply to occupational safety (i.e., employees of the hazardous facility or people who visit the hazardous facility to provide services or conduct business).

In addition, impacts would be significant if a risk analysis conducted for a project results in a societal risk spectrum that falls in the amber or red zones of the public fatality or public injury risk spectrums as presented in Figures 1 and 2 of the Public Safety Thresholds section of the County of Santa Barbara Environmental Thresholds and Guidelines Manual (County of Santa Barbara 2015).

4.7.3.2 Project Impacts

Impact HAZ-1. Construction of the proposed Project could result in potential impacts from the use, storage, or distribution of hazardous or toxic materials.

Construction of the proposed Project would utilize fuels and other materials such as greases used with construction equipment that may be stored on site within locked above-ground containers. Federal regulations (40 CFR §112) and the Aboveground Petroleum Storage Act prescribe spill protection requirements designed to protect human health and the environment. The use, storage, transport, and disposal of hazardous materials at the Project site would be carried out in accordance with federal, state, and local regulations. Prior to construction, a Storm Water Pollution Prevention Plan (SWPPP) would be prepared by the Applicant that would be submitted to the Regional Water Quality Control Board (RWQCB) and County of Santa Barbara for review. Implementation of the SWPPP would be required to comply with state and federal water quality regulations. MM WAT-3a, *SWPPP*, details provisions of the SWPPP.

Construction of the Project would require the limited use of hazardous materials that could result in potential adverse health and environmental impacts if these materials were used, stored, or disposed of improperly, causing accidents, spills, or leaks. Additionally, during construction, undocumented subsurface utilities or structures might be encountered and damaged. However, no underground storage tanks or subsurface utilities containing hazardous materials are resulting in a release of a hazardous material. The potential for such incidents would be reduced by thoroughly screening for subsurface structures in areas prior to commencement of any subsurface work, as required under California Government Code Section 4216.

Construction of the Project would not pose a risk to students, faculty, or staff as a result of hazards or hazardous materials. Therefore, construction impacts would be *less than significant* (Class III).

Impact HAZ-2. Operation of the proposed Project could result in potential impacts from the use, storage, or distribution of hazardous or toxic materials.

The Project site has operated as a school since 1913, and other than limited quantities of hazardous materials typical for a high school (e.g., paint, solvents, etc. in low quantities) there is no evidence that large quantities of hazardous materials were used, stored or spilled on site in the past. Further, the Project site has not had past uses, stored or discharged hazardous materials, and is not currently located near chemical or industrial activity, producing oil wells, oil and gas pipelines, or toxic disposal sites. There are no aspects of the proposed Project that would include or involve hazardous materials at levels that would constitute a hazard to human health or the environment.

Operation of the proposed Project would potentially result in an incremental increase in chemical usage onsite associated with increased operation of the wastewater treatment facility, however, the storage amounts would remain the same. Chemicals used in association with operation of the existing swimming pool would remain unchanged, as would use of the existing emergency generator. It is anticipated that up to two new diesel-powered emergency generators would be needed as part of the Project to serve the new Dining Commons in the center of campus in the event of a power outage or other emergency. Two additional 100-gallon tanks of diesel fuel would be stored onsite to support the generators.

Cate School has a Hazardous Materials Business Plan on file with the County Environmental Health Services (EHS) Department and reports inventory annually to the California Environmental Reporting Service (CERS). Hazardous materials stored on campus include: 1) a 100-gallon tank of diesel fuel to power an emergency generator near the Sprague Gymnasium; 2) 960 gallons of diesel fuel and 240 gallons of gasoline storage, 350 gallons of bleach, 110 gallons of hydrogen peroxide at the Waste Water Treatment Facility; 3) 1,200 pounds of liquid carbon dioxide, 120 gallons of hydrochloric acid, 1,320 pounds of sodium hypochlorite; 4) 55-gallon drums of stored motor oil by the old waste water treatment plant; and 5) smaller amounts of stored chemicals in the Chemistry Laboratory as well as standard cleaning products in various locations throughout the campus. No other elements of the Project would require the storage, use, or handling of hazardous materials beyond what already occurs on the campus.

Cate School would be required to update its Hazardous Materials Business Plan with the County of Santa Barbara EHS and its annual reporting requirements to account for any increase in hazardous material storage and use. Therefore, operation impacts related to hazardous materials/risk of upset are *less than significant* (Class III).

Impact HAZ-3. The proposed Project would not result in a risk of an explosion or the release of hazardous substances (e.g., oil, gas, biocides, bacteria, pesticides, chemicals or radiation) in the event of an accident or upset conditions.

As discussed above, the Project site consists of an existing school with limited use of hazardous materials. Construction and operation of the Project would involve storage and use of limited quantities of hazardous materials such as fuel, cleaners, toners, correction fluid, paints, lubricants, etc., but not significantly greater than existing storage and use. The proposed Project would not result in a risk of an explosion or the release of hazardous substances in the event of an accident or upset conditions as there are no aspects of the proposed use that would include or involve hazardous materials at levels that would constitute a hazard to human health or the environment.

Therefore, the limited use of hazardous materials reduces the risk of upset and impacts to hazardous materials would be *less than significant* (Class III).

Impact HAZ-4. The proposed Project would not interfere with an emergency response plan or an emergency evacuation plan.

The Project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan. With implementation of the proposed Project, the emergency protocols and signage for the school would be updated to reflect the proposed new structures and renovations. All existing and proposed access to the various campus buildings, including new single family dwellings, would meet Carpinteria-Summerland Fire Protection District standards. Please also refer to Sections 3.2, *Fire Protection*, and 4.12, *Transportation and Circulation*, for additional discussion of emergency access. Therefore, even with the potential increase in student and faculty, the potential impact related to emergency and evacuation plans would be less than significant. The proposed Project would not interfere with an emergency response plan or evacuation plan. As a result, operation impacts to emergency access would be *less than significant* (Class III).

Impact HAZ-5. The proposed Project would not contaminate a public water supply.

The proposed Project would not result in the contamination of a public water supply as there are no aspects of the proposed Project that would include or involve hazardous materials at levels that would constitute a hazard to human health or the environment. The nearest public water supply is located approximately 0.25 mile west, across Lillingston Canyon Road, Carpinteria Creek and its associated ravine (see Figure 2-2). Therefore, given the topography and distance from Cate School and the minimal use of hazardous materials, the Project would not cause contamination impacts to water supply. Impacts would be *less than significant* (Class III).

4.7.3.3 Mitigation Measures

None required.

4.7.3.4 Residual Impacts

Since no significant impacts are identified under the proposed Project, no mitigation measures are necessary. Therefore, residual impacts with regard to hazardous materials and associated risks of upset would be *less than significant* (Class III).

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